

Claims 1-2, 5-13 and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,621,810 (Suzuki et al.), in view of U.S. Patent No. 5,809,366 (Yamakawa et al.). The Examiner asserts that Yamakawa et al. discloses the claimed re-input determination means and signal output means at col. 14, lines 30-35. Applicants respectfully disagree with the Examiner's assertion and traverse this rejection.

As recited in independent Claim 1, the present invention includes, *inter alia*, the feature of re-input determination means including difficulty determination means for determining whether a determination by a specific-image determination means is difficult, wherein the re-input determination means determines whether to output a signal urging re-input of image data based on the determination by the difficulty determination means. Independent Claims 12 and 23 recite a similar feature. Applicants submit that Yamakawa et al. does not disclose or suggest at least this feature. In fact, Applicants do not understand that patent to even disclose a specific-image determination means, and therefore it does not disclose or suggest difficulty determination means for determining whether a determination by a specific-image determination means is difficult.

More specifically, as understood by Applicants, Yamakawa et al. is directed to a method and system for calibrating a color copier. The cited portion of col. 14 merely discloses that certain points of a scanned image are analyzed and, if the colors of those points deviate from an expected result by more than an allowable range, the user is urged to scan the image again. Thus, that patent teaches to urge re-input of image data based on a comparison of colors to an expected result, not based on whether a determination by a specific-image determination means is difficult.

Further, Applicants submit that Yamakawa et al. cannot properly be understood to provide an inherent disclosure of the claimed difficulty determination means. As understood by Applicants, a determination that image data represents a specific image can be performed in numerous ways, many of which are independent of particular color data. Therefore, even if the apparatus of Yamakawa et al. determines that image data was not properly input because the color data deviates from what was expected, it does not necessarily mean that the specific-image determination is difficult. In other words, the color data may be incorrect, but the apparatus might nevertheless easily determine that a specific image is present based on information that is not color-dependent. Since the determination that the color data is incorrect does not *necessarily* mean that a determination by a specific image determination means is difficult, the claimed difficulty determination means is not inherently disclosed by Yamakawa et al.

Since Yamakawa, et al. does not disclose or suggest at least the above-mentioned feature, which is also lacking from Suzuki et al. then even if properly combined the combination of those references would fail to disclose or suggest at least that feature.

For the foregoing reasons, Applicants submit that the present invention recited in independent Claims 1, 12, and 23 is patentable over the art of record, whether the art is considered individually or taken in combination. The dependent claims are patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

In view of the foregoing, this application is believed to be in condition for allowance. Favorable reconsideration, withdrawal of the rejections, and an early Notice of Allowance are respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 721-5427. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. L. Klock', written over a horizontal line.

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